

**ASSOCIATION of
GOVERNMENTS**

Main Office

818 West Seventh Street
12th Floor
Los Angeles, California
90017-3435

t (213) 236-1800

f (213) 236-1825

www.scag.ca.gov

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Correa, County of Orange

Riverside County Transportation Commission:
Robin Lowe, Hemet

Ventura County Transportation Commission:
Keith Millhouse, Moorpark

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5/29/12/28/09

MEETING OF THE

TRANSPORTATION & COMMUNICATIONS COMMITTEE

NOTE CHANGE IN MEETING LOCATION & TIME

Thursday, May 4, 2006
10:00 – 11:00 a.m.

**The Westin Long Beach
333 East Ocean Boulevard
Downtown Long Beach
562.436.3000**

If members of the public wish to review the attachments
or have any questions on any of the agenda items,
please contact Cathy Alvarado at 213.236.1896 or
alvarado@scag.ca.gov

Agendas and Minutes for the Transportation &
Communications Committee are also available at
www.scag.ca.gov/committees/tcc.htm

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TRANSPORTATION & COMMUNICATIONS COMMITTEE

AGENDA

PAGE #

TIME

“Any item listed on the agenda (action or information) may be acted upon at the discretion of the Committee”.

1.0 CALL TO ORDER & PLEDGE
OF ALLEGIANCE

Hon.
Harry Baldwin,
Chair

2.0 PUBLIC COMMENT PERIOD

Members of the public desiring to speak on an agenda item or items not on the agenda, but within the purview of this committee, must fill out a speaker's card prior to speaking and submit it to the Staff Assistant. A speaker's card must be turned in before the meeting is called to order. Comments will be limited to three minutes. The Chair may limit the total time for comments to twenty (20) minutes.

3.0 REVIEW and PRIORITIZE AGENDA ITEMS

4.0 CONSENT CALENDAR

4.1 Approval Items

- 4.1.1 Approve Minutes of April 6, 2006 Meeting 1
Attachment

4.2 Receive and File

- 4.2.1 State and Federal Legislative Matrix 8
Attachment

Summary of state and federal legislative bills relevant to SCAG adopted policies and priorities and related matters.

TRANSPORTATION & COMMUNICATIONS COMMITTEE

AGENDA

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4.0 CONSENT CALENDAR cont/d

4.2.2 Maglev Task Force Meeting Attendance

22

On April 6th, the TCC requested a staff report on the attendance level of the Maglev Task Force, as well as an understanding of its meeting cancellation policies.

5.0 ACTION ITEMS

5.1 S.2388 – National Infrastructure Improvement Act of 2006

**Don Rhodes,
SCAG**

23

5 minutes

Staff will present an analysis and recommendation for S.2388, a bill to establish a National Commission on the Infrastructure of the United States.

Recommended Action: Support

6.0 INFORMATION ITEMS

6.1 Maritime Goods Movement Coalition Attachment

**Robert Wyman,
Latham & Watkins**

25

15 minutes

An informal presentation will be given on the emission reduction strategies of the Maritime Goods Movement Coalition.



TRANSPORTATION & COMMUNICATIONS COMMITTEE

AGENDA

			PAGE #	TIME
6.0	<u>INFORMATION ITEMS cont/d</u>			
6.2	<u>Report on Triennial MPO Certification of SCAG</u> Attachment mailed separately FTA/FHWA representative will present their findings and recommendations from the recent triennial certification of SCAG.	FTA/FHWA Representative	44	10 minutes
6.3	<u>RTAC Task Force Report</u> Staff will present an overview of the function and status of the Regional Transportation Agencies Coalition as mandated by AB1246.	Mark Pisano, SCAG	45	5 minutes
7.0	<u>MAGLEV TASK FORCE REPORT</u>	Hon. Robin Lowe, Chair		
8.0	<u>GOODS MOVEMENT TASK FORCE REPORT</u>	Hon. Art Brown, Chair		
9.0	<u>CHAIR REPORT</u>	Hon. Harry Baldwin, Chair		
10.0	<u>STAFF REPORT</u>	Rich Macias, SCAG Staff		
11.0	<u>FUTURE AGENDA ITEMS</u> Any Committee members or staff desiring to place items on a future agenda may make such request. Comments should be limited to three minutes.			

TRANSPORTATION & COMMUNICATIONS COMMITTEE

AGENDA

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TIME

12.0 ANNOUNCEMENTS

13.0 ADJOURNMENT

The next meeting of the Transportation and Communications Committee will be held on June 1, 2006 at the SCAG's Annual Retreat at the Marina del Ray Marriott..

Transportation and Communications Committee

April 6, 2006

Action Minutes

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE TRANSPORTATION AND COMMUNICATIONS COMMITTEE. AN AUDIOCASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Transportation and Communications Committee held its meeting at the SCAG office in downtown Los Angeles. The meeting was called to order by the Honorable Harry Baldwin, Chair, City of San Gabriel. There was a quorum.

Members Present

Aldinger, Jim	City of Manhattan Beach
Baldwin, Harry	City of San Gabriel
Bauman, John	City of Brea
Becerra, Glen	City of Simi Valley
Bone, Lou	City of Tustin
Brown, Art	City of Buena Park
Burke, Yvonne	City of Los Angeles
Daniels, Gene	City of Paramount
DeYoung, Cathryn	City of Laguna Niguel
Dixon, Richard	City of Lake Forrest
Dunlap, Judy	City of Inglewood
Flickinger, Bonnie	City of Moreno Valley
Gurule, Frank	City of Cudahy
Herrera, Carol	City of Diamond Bar
Lowenthal, Bonnie	City of Long Beach
Mikels, Judy	Ventura County
Ovitt, Gary	San Bernardino County
Pettis, Greg	Cathedral City
Ridgeway, Tod	City of Newport Beach
Roberts, Ron	City of Temecula
Rutherford, Mark	City of Westlake Village
Smith, Greg	City of Los Angeles
Spence, David	Arroyo Verdugo COG
Stone, Jeff	Riverside County
Sykes, Tom	City of Walnut
Szerlip, Don	South Bay Cities COG
Talbot, Paul	City of Alhambra
Tyler, Sidney	City of Pasadena
Wapner, Alan	City of Ontario

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Members Not Present

Adams, Steve	Riverside, WRCOG
Buckley, Tom	City of Lake Elsinore
Correa, Lou	Orange County
Dale, Lawrence	City of Barstow
DeLara, Juan	City of Coachella
Gabelich, Rae	City of Long Beach
Garcia, Lee Ann	City of Grand Terrace
George, Gary	City of Redlands
Hernandez, Robert	City of Anaheim
Joffe, Enid	San Gabriel Valley COG
Lowe, Robin	City of Hemet/RCTC
Marshall, Patsy	City of Buena Park
Miller, Paul	City of Simi Valley
Millhouse, Keith	City of Moorpark
Moqet, Shenna	Riverside, WRCOG
O'Connor, Pam	City of Santa Monica
Smyth, Cameron	City of Santa Clarita
Uranga, Tonia Reyes	City of Long Beach

New Members

Voting Members, Not Elected Official

Casey, Rose	Caltrans
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1.0 CALL TO ORDER & PLEDGE OF ALLIGANCE

The Honorable Harry Baldwin, Chair, called the meeting to order at 10:03 a.m.

2.0 PUBLIC COMMENT PERIOD

Councilmember David Margrave, City of South Pasadena, stated that he was informed that a resolution had been issued from the City of South Pasadena in support of substitution for the full bore tunnel option if determined feasible for the surface Route 710 extension.

Mr. Margrave stated that a 710 extension in any form would cause more traffic, more idle cars in tunnels on highways; create more deaths, and more pollution. Mr. Margrave requested that the TCC remove the 710 extension from the RTP without the tunnel option.

3.0 REVIEW and PRIORITIZE

4.0 CONSENT CALENDAR

4.1 Approval Item

4.1.1 Approve Minutes of March 2, 2006

4.2 Receive and File

4.2.1 State and Federal Legislative Matrix

MOTION was made to MOVE the Consent Calendar items.

Motion was SECONDED and UNANIMOUSLY APPROVED.

5.0 ACTION ITEMS

5.1 Comments on World Trade Organization (WTO) Doha (Qatar) Development Agenda

Nancy Pfeffer, SCAG, stated that there was another set of comments prepared for the office of the U.S. Trade Representative related to the local impacts of international trade. The U.S. Trade Representative staff has alerted SCAG that there is yet another opportunity to comment on a broader basis which is related to the World Trade Organization.

In the draft, 3/17/3006, attached to today's agenda were the Thai Trade comments. The revised draft, 4/5/06, which has been distributed to the Committee has recast some of the wording in various places where Thailand is talked about and instead talks about the totality of World Trade. The Thai Trade comments were based on terms of the impacts in a report that was recently issued by the California Air Resources Board on a goods movement emission reduction plan for ports and international goods movement. A previous December draft was the source of a lot

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of information that staff put in the Thai Trade comment. All of this information is still valid, but in the interim the ARB revised the document and it now includes not only international goods movement, but all goods movement in the State of California. This document it would make changes in three of the tables that were in the original document. Staff has updated these tables focusing only on the international portion of goods movement; this is explained in the text. Staff perceived that this made the best argument in terms of the trends in emissions and the impacts that the Region is experiencing in Southern California.

The other change made, the word *prioritize*, was to clarify the nature of what Staff is trying to ask the Federal Government for, was in response to a comment made by the South Coast Air Quality Management District having to do with the top bullet item on page 3 that now reads:

- Improve and *prioritize* environmental review processes under the National Environmental Policy Act (NEPA).

Motion was made to APPROVE the comment. Motion was SECONDED and UNANIMOUSLY APPROVED.

6.0 **INFORMATION ITEMS**

6.1 Airport Ground Access Development

Alan Thompson, SCAG, briefed the Committee on the analyses to be conducted as part of the Regional Transportation Plan development. Mr. Thompson stated that SCAG was legally required to develop an Airport Ground Access Plan as part of its Regional Transportation Plan development. Over the past 10 years, SCAG's aviation strategy has been the decentralization of airport services amongst the ten airports in the Region. This includes limiting urban airports such as LAX, Long Beach, Burbank, and John Wayne to their legal physical capacity in an attempt to induce passengers out to the Inland Empire and North Los Angeles County. As these air services become more decentralized passengers and air cargo will need to reach the suburban airports.

As SCAG develops and refines its aviation strategy for the next RTP, a coordinated ground access plan will also need to be developed and refined. In developing the strategy, Staff is focusing on examining remote flyaway locations for both LAX and Ontario as well as transit improvements and HOV lane extensions as a near term strategy to help induce decentralization. Staff will also recommend additions and revisions to the list of arterial, intersection, interchange, and parking improvements for each carrier airport. High-speed access whether Maglev or high-speed rail, will eventually be needed in the long-term to fully realize a MAP potential of 175 million air passengers by the year 2030.

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The schedule for developing the Ground Access component of the RTP is:

- July 2006: Present previous work to the Aviation Task Force and the P&P Technical Advisory Committee, as well as a final schedule.
- August 2006: Initiate new work for the 2008 RTP with an emphasis on transit, HOV and flyaway projects, as well as updating previous work.
- November 2006: Complete Regional Aviation Capacity and Forecasting Study.
- February 2007: Provide a complete recommend list of airport ground access projects excluding transit.

Staff will then present the revised Ground Access component to the Aviation Task Force and the P&P Technical Advisory Committee; the analysis will then go to the Transportation & Communications Committee as part of the RTP development process.

6.2 Infrastructure Bond Update

Don Rhodes, SCAG, stated that Senator Dutton, (REP), has a bill in the legislative council that focuses on levees, transportation, some schools, and a Proposition 42 provision. Staff did a follow up with the other House, and unless this bill includes items for housing and transit the Democrats have some issues with it. According to some of the Republican staff spoke with, they would like to perhaps use it as some leverage during the budget negotiations.

6.3 House Transportation and Infrastructure Subcommittee on Aviation Congressional Field Hearing

Don Rhodes, SCAG, gave a briefing on SCAG's trip to Washington, March 20, to attend the Aviation Sub-Committee which was a very successful follow-on to SCAG's consensus trip to D.C. earlier in the year. In addition to SCAG there were three other agencies that gave presentations; FAA, California DOT, and LAWA.

The big issue of discussion was ground access. The other part of the hearing emphasized the global gateway nature of our Region and how it affects the airport system and also the demand by County.

At the hearing Staff recommended:

- funding support for Global Gateways
- the need to decentralize our airport system
- proportional share for high-speed ground access
- support aviation system planning in large multi-airport systems
- more flexible funding for mitigation of community impacts

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7.0 MAGLEV TASK FORCE REPORT

Councilmember Lou Bone, City of Tustin, stated that the Maglev Task Force did not meet in March. The next meeting of the task force will be April 13.

8.0 CHAIR REPORT

Chair Baldwin stated that at the last TCC meeting in addition to the selection of Geraldine Knatz, Executive Director, Port of Los Angeles, and Richard Steinke, Executive Director, Port of Long Beach, an additional nominee has been made for SCAG's Regional Champion Award; William Buenger, Executive Director, Port Hueneme.

Supervisor Judy Mikels, Ventura County, inquired as to who decided on the nomination of Mr. Buenger? Chair Baldwin stated that Staff made the recommendation. Ms. Mikels stated she opposed the nomination of Mr. Buenger, Oxnard Harbor District, because he was neither a regional player, nor a partner. Ms. Mikels also requested that Staff consult the Committee before making this type of recommendation.

Supervisor Judy Mikels made the MOTION to OPPOSE the nomination of Mr. Bunder. MOTION was SECONDED (Councilmember Art Brown, City of Brea) and UNANIMOUSLY APPROVED.

9.0 STAFF REPORT

Hasan Ikhrata, SCAG, stated that Councilmember Richard Dixon, City of Lake Forrest, Chair of the RTAC committee requested him to give a report on what took place at the last meeting. Mr. Ikhrata stated that one of the issues discussed was the Growth Forecast. Saying that Staff needs to make sure it develops a bottom-up approach. The other issue was TIP amendments and Plan amendments. The FHA notified Staff, and will follow-up in writing, that SCAG has a corrective action to take, which is every time Staff amends the TIP and the cost of a project is changed this needs to be reflected in the RTP. This means if Staff amends the TIP, which is done 4-5 times a year, and the cost of the project changes based on the existing statues that Staff has to amend the transportation plan. This will result in a need for more resources and time to process amendments.

Councilmember Richard Dixon, City of Lake Forrest, stated that he had a concern with the RTAC's members' attendance and the process that is set up given the fact that most of the TCC's, if not all of them, are now represented at the Regional Council level. Mr. Dixon stated that the impact that this may have on the RTP amendment process needs to be assessed.

Mr. Ikhrata stated that this issue should be brought up as a future agenda item so there could be a discussion on how the Committee would want to comply with AB 1246.

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10.0 GOODS MOVEMENT TASK FORCE REPORT

Councilmember Art Brown, City of Buena Park, stated the report was addressed by Staff in Item 5.1 earlier in today's meeting.

11.0 FUTURE AGENDA ITEMS

Councilmember Art Brown, City of Buena Park, stated that he would like a report from Staff on the Maglev Task Force meetings as a number of the meetings have been canceled and several meeting dates have been changed in the last year. He also asked that the report include the attendance of the Committee Chairman, Councilmember Robin Lowe.

Councilmember Richard Dixon, City of Lake Forest, requested that Staff make an effort to better coordinate SCAG's meetings *around* the Sub-Region and Transportation Commission Board Meetings, which meet on the same day of each month. This should be brought forward as a future agenda item for either the Administration Committee or the Regional Council.

Don Rhodes, SCAG, stated that there was a Master Calendar on the SCAG website. Mr. Rhodes said he would follow-up to make sure Staff included the CTC and Sub-Regional meetings on the Master Calendar, and schedule SCAG meetings around the those meetings.

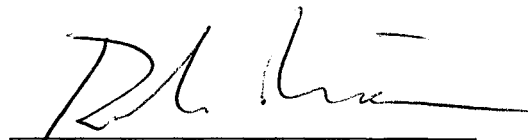
12.0 ANNOUNCEMENTS

Councilmember Cathryn DeYoung, City of Laguna Niguel, reported that she was part of a group that represented SCAG at a California statewide delegation reception the 'California Tea Party' hosted by SCAG, MTC, MAT, and several other transportation commissions and planning organizations in California in Washington, D.C., the week of March 6. Norman Manetta, Secretary of Transportation, along with some other Congressmen attended the event. SCAG was well served and it was a good conference.

13.0 ADJOURNMENT

The Honorable Harry Baldwin, adjourned the meeting at 10:43 a.m.

The next committee meeting will be held on **Thursday, May 4, 2006, at The Westin Long Beach.**



Rich Macias, Manager
Transportation Planning Division

MEMO

DATE: April 14, 2006
TO: Transportation and Communications Committee
FROM: Don Rhodes (x840)
SUBJECT: State & Federal Legislative Matrix

SUMMARY:

The attached legislative bill matrix provides summaries of state and federal legislation relevant to SCAG activities and items of interest.

These legislative bills are organized by subject matter in the following categories: Transit, Transportation, and GovBondBills.

Bill summaries include all known on-record positions for other statewide organizations following these issues such as the California League of Cities, California State Association of Counties, CALCOG, and others. Also included for your information is each bill's position in the legislative process, including scheduled hearing dates where applicable.

Please feel free to contact me at (213)-236-1840 if you have any questions or wish to discuss any legislative bill or issue. Members of my staff are also available for your assistance; please contact Jeff Dunn at (213)-236-1880 if you have any further questions.

JSD/Doc#120978

Private file: Transit

CA AB 372	AUTHOR:	Nation (D)
	TITLE:	Public Contracts: Transit Design-Build Contracts
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	02/11/2005
	LAST AMEND:	01/11/2006
	DISPOSITION:	Pending
	LOCATION:	Senate Transportation and Housing Committee
	SUMMARY:	
		Extends the duration of provisions of existing law that authorize transit operators to enter into a design-build contract according to specified procedures.
	STATUS:	
	01/26/2006	To SENATE Committee on TRANSPORTATION AND HOUSING.

CA AB 948	AUTHOR:	Oropeza (D)
	TITLE:	Design-Build and Transit Operators
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	02/18/2005
	LAST AMEND:	04/13/2005
	DISPOSITION:	Pending - Carryover
	FILE:	A-13
	LOCATION:	Senate Inactive File
	SUMMARY:	
		Specifies that a transit operator is required to establish a labor compliance program only for a design-build contract and only if the transit operator does not already have a labor compliance program. Changes the prohibition regarding design-build rail projects to instead prohibit a transit operator from utilizing the design-build method of procurement for a capital maintenance or capacity-enhancing rail project, unless that project costs more than specified amount.
	STATUS:	
	07/11/2005	In SENATE. To Inactive File.
	Position:	CALCOG-Sup
	Subject:	Transit, Transport

US HR 52	SPONSOR:	Capito (R)
	TITLE:	Rail and Mass Transportation
	INTRODUCED:	01/04/2005
	DISPOSITION:	Pending
	LOCATION:	House Judiciary Committee
	SUMMARY:	
		Amends title 18, United States Code, to further protect rail and mass transportation, and for other purposes.
	STATUS:	
	03/02/2005	In HOUSE Committee on JUDICIARY: Referred to Subcommittee on CRIME, TERRORISM AND HOMELAND SECURITY.

US HR 153	SPONSOR:	Menendez (D)
	TITLE:	Rail and Public Transportation Security
	INTRODUCED:	01/04/2005
	DISPOSITION:	Pending
	LOCATION:	Multiple Committees
	SUMMARY:	
		Provides increased rail and public transportation security.
	STATUS:	
	01/05/2006	In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcmt on RAILROADS.
	01/05/2006	In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcmt on HIGHWAYS, TRANSIT and PIPELINES.

Private file: Transportation

CA AB 267	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: LOCATION: SUMMARY:	Daucher (R) Transportation Projects yes no 02/08/2005 08/15/2005 Pending - Carryover Senate Appropriations Committee Amends existing law which authorizes a regional or local entity that is the sponsor of, or is eligible to receive funding for, a project contained in the state transportation improvement program to expend its own funds for any component of a project within its jurisdiction that is included in an adopted state transportation improvement program, and for which the commission has not made an allocation. Limits these provisions to projects advanced for expenditure that are programmed in the current fiscal year. STATUS: 08/25/2005 Position: Subject:	 In SENATE Committee on APPROPRIATIONS: Not heard. League-Sup 04/15/2005 Revenue/Bond, Transport
CA AB 1020	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: LOCATION: SUMMARY:	Hancock (D) Transportation Planning: Improved Travel Model yes no 02/22/2005 01/23/2006 Pending Senate Transportation and Housing Committee Requires the Department of Transportation to provide notice to the Legislature on a schedule for a comprehensive review and evaluation of current travel models and model improvements already underway. Requires certain planning organizations and agencies using travel models to use models that incorporate specified factors. STATUS: 02/02/2006 Subject:	 To SENATE Committee on TRANSPORTATION AND HOUSING. Transport
CA AB 1157	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: LOCATION: SUMMARY:	Frommer (D) Rail Safety and Traffic Mitigation Bond Act of 2006 no no 02/22/2005 02/08/2006 Pending Senate Transportation and Housing Committee States the intent of the Legislature to enact legislation providing for a general obligation bond act to be submitted to the voters for approval in order to provide funding for a program to eliminate the most dangerous railroad-highway grade crossings in the state, as identified by the Public Utilities Commission, with funds to be allocated by the Transportation Commission. STATUS: 02/08/2006 02/08/2006 Subject:	 From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments. In SENATE, Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING. Transport
CA AB 1699	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: LOCATION:	Frommer (D) Transportation: Highway Construction yes no 02/22/2005 05/27/2005 Pending - Carryover Senate Transportation and Housing Committee	

SUMMARY:

Authorizes transportation agencies administering local voter-approved transportation sales tax measures to use a specified design-build process for bidding of a maximum of 8 state highway construction projects with a certain total cost, with the projects to be selected by the Transportation Commission. Requires bidders to provide certain information. Requires design-build bidders to provide certain information in a questionnaire submitted to the transportation agency.

STATUS:

06/15/2005

To SENATE Committee on TRANSPORTATION AND HOUSING.

Subject:

Transport

CA AB 1785

AUTHOR:

Bermudez (D)

TITLE:

Grade Separation Projects

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

01/04/2006

LAST AMEND:

03/13/2006

DISPOSITION:

Pending

LOCATION:

Assembly Appropriations Committee

SUMMARY:

Increases the amount required to be budgeted for allocation to specified grade separation projects by the Department of Transportation.

STATUS:

04/05/2006

In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.

Position:

CALCOG-Opp

CA AB 1831

AUTHOR:

Jones (D)

TITLE:

Critical Infrastructure Facilities Bond Acts

INTRODUCED:

01/10/2006

DISPOSITION:

Pending

LOCATION:

ASSEMBLY

SUMMARY:

Enacts the Critical Infrastructure Facilities Bond Act of 2006. Authorizes bonds for the construction or renovation of state trial court facilities, state park system capital assets, mental health hospitals, and certain other state facilities.

STATUS:

01/10/2006

INTRODUCED.

CA AB 1838

AUTHOR:

Oropeza (D)

TITLE:

Transportation Bond Acts of 2006, 2008, and 2012

INTRODUCED:

01/10/2006

DISPOSITION:

Pending

LOCATION:

ASSEMBLY

SUMMARY:

Authorizes general obligation bonds for various transportation purposes. Pledges a percentage of existing fuel excise taxes and truck weight fees to offset the general fund cost for bond debt service. Authorizes transportation entities to use a design-build process for contracting on transportation projects.

STATUS:

01/10/2006

INTRODUCED.

CA AB 1853

AUTHOR:

Matthews (D)

TITLE:

Railroad-Highway Crossings: Grade Separation Projects

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

01/13/2006

DISPOSITION:

Pending

LOCATION:

Assembly Transportation Committee

SUMMARY:

Requires the Public Utilities Commission, in establishing a project priority list, to specifically assess a grade separation or alteration project for railroad crossing blocking delays that disproportionately affect emergency services.

STATUS:

01/26/2006

To ASSEMBLY Committee on TRANSPORTATION.

CA AB 1879

AUTHOR:

Lieber (D)

TITLE:

Vehicles: HOV Lanes

FISCAL COMMITTEE: no
URGENCY CLAUSE: yes
INTRODUCED: 01/19/2006
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
SUMMARY:

Requires a local authority if it authorizes or permits exclusive or preferential use of highway lanes or highway access ramps for high-occupancy vehicles, to also extend the use of those lanes or ramps to vehicles that have been issued distinctive decals, labels or other identifiers because the vehicles meet conditions specified.

STATUS:
03/20/2006 In ASSEMBLY Committee on TRANSPORTATION: Not heard.

CA AB 2025

AUTHOR: Niello (R)
TITLE: Design-Build Contracts
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/14/2006
DISPOSITION: Pending
COMMITTEE: Assembly Transportation Committee
HEARING: 04/17/2006 1:30 pm
SUMMARY:

Authorizes the Department of Transportation to contract using the design-build process for the design and construction of transportation projects. Requires the director of the department to establish a prequalification and selection process.

STATUS:
02/23/2006 To ASSEMBLY Committee on TRANSPORTATION.

CA AB 2295

AUTHOR: Arambula (D)
TITLE: Transportation Capital Improvement Projects
INTRODUCED: 02/22/2006
DISPOSITION: Pending
COMMITTEE: Assembly Transportation Committee
HEARING: 04/17/2006 1:30 pm
SUMMARY:

States that local road rehabilitation projects are eligible for funds allocated for transportation capital improvement funds.

STATUS:
03/02/2006 To ASSEMBLY Committee on TRANSPORTATION.
Position: CSAC-Sup

CA AB 2361

AUTHOR: Huff (R)
TITLE: Transportation: Federal Funds: Border Infrastructure
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/23/2006
LAST AMEND: 03/28/2006
DISPOSITION: Pending
COMMITTEE: Assembly Transportation Committee
HEARING: 04/17/2006 1:30 pm
SUMMARY:

Exempts federal funds derived from apportionments made to the state under the coordinated border infrastructure program from being subject to the funding distribution and fair share formulas. Requires these funds to be programmed by the Transportation Commission through a competitive grant program separate from the state transportation improvement program in a manner consistent with federal law.

STATUS:
03/28/2006 From ASSEMBLY Committee on TRANSPORTATION with author's amendments.
03/28/2006 In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.

CA AB 2538

AUTHOR: Wolk (D)
TITLE: Transportation Funds
INTRODUCED: 02/23/2006
DISPOSITION: Pending
COMMITTEE: Assembly Transportation Committee

HEARING: 04/24/2006 1:30 pm

SUMMARY:

Authorizes each transportation planning agency or county transportation commission to request and receive up to 5% of federal metropolitan planning funds for the purposes of project planning, programming, and monitoring. Establishes a minimum amount to be allocated for this purpose.

STATUS:

03/13/2006

To ASSEMBLY Committee on TRANSPORTATION.

A AB 2600

AUTHOR:

Lieu (D)

TITLE:

Vehicles: HOV Lanes

INTRODUCED:

02/24/2006

DISPOSITION:

Pending

LOCATION:

Assembly Transportation Committee

SUMMARY:

Extends the provisions of existing law that requires the Department of Motor Vehicles to make available for issuance, distinctive decals, labels, and other identifiers for a vehicle that meets the super ultra-low emission vehicle standards for exhaust emission and the federal inherently low-emission vehicle (ILEV) evaporate emission standards, and vehicles produced during the 2004 model year or earlier that meets the ultra-low emission vehicle standards for exhaustive emissions and the ILEV standards.

STATUS:

03/13/2006

To ASSEMBLY Committee on TRANSPORTATION.

Position:

CALCOG-Opp

CA AB 2604

AUTHOR:

Emmerson (R)

TITLE:

Highway Construction Contracts: Design-Build Method

INTRODUCED:

02/24/2006

DISPOSITION:

Pending

COMMITTEE:

Assembly Transportation Committee

HEARING:

04/24/2006 1:30 pm

SUMMARY:

Authorizes the San Bernardino Associated Governments (SANBAG) to use a design-build procurement method for the construction of improvements to the interchange of Tippecanoe Avenue and Interstate 10 in the City of San Bernardino located in San Bernardino County.

STATUS:

03/23/2006

To ASSEMBLY Committee on TRANSPORTATION.

CA AB 2896

AUTHOR:

Karnette (D)

TITLE:

Commercial Transportation Development Council

INTRODUCED:

02/24/2006

DISPOSITION:

Pending

COMMITTEE:

Assembly Appropriations Committee

HEARING:

04/19/2006 9:00 am

SUMMARY:

Creates the Commercial Transportation Development Council to review and collect data and to provide advice concerning the needs of commercial transportation in the state.

STATUS:

04/03/2006

From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.

CA ACA 4

AUTHOR:

Plescia (R)

TITLE:

Transportation Investment Fund

FISCAL COMMITTEE:

no

URGENCY CLAUSE:

no

INTRODUCED:

12/06/2004

LAST AMEND:

05/09/2005

DISPOSITION:

Pending

LOCATION:

Assembly Appropriations Committee

SUMMARY:

Proposes an amendment to the Constitution that relates to existing law which requires that sales taxes on motor vehicle fuel that are deposited into the General Fund be transferred to the Transportation Investment Fund. Deletes the provision authorizing the Governor and the Legislature to suspend the transfer of revenues from the General Fund to the Transportation Investment Fund for a fiscal year during a fiscal emergency.

STATUS:

01/09/2006

From ASSEMBLY Committee on TRANSPORTATION: Be adopted to Committee on APPROPRIATIONS.

Position: CALCOG-Sup
Subject: Revenue/Bond, Transport

CA ACA 7

AUTHOR: Nation (D)
TITLE: Local Governmental Taxation
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 12/06/2004
DISPOSITION: Pending - Carryover
LOCATION: Assembly Appropriations Committee
SUMMARY:

Proposes a Constitutional Amendment to change the 2/3 voter-approval requirement for special taxes to instead authorize a city, county, or special district to impose a special tax with the approval of 55% of its voters voting on the tax. Makes technical nonsubstantive changes to these provisions.

STATUS:

05/25/2005 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

Position: CSAC-Sup, CSAC-Sup, League-Sup 03/08/2005
Subject: Revenue/Bond, Transport

CA SB 371

AUTHOR: Torlakson (D)
TITLE: Public Contracts: Design-Build: Transportation
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/17/2005
LAST AMEND: 01/23/2006
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Declares the intent of the Legislature to enact legislation that would develop an alternative and optional procedure for bidding on highway, bridge, tunnel, or public transit construction projects in the jurisdiction of any county, local transportation authority or local or regional transportation entity. Authorizes the Department of Transportation to develop an alternative bidding procedure for highway, bridge, or tunnel projects on the state highway system.

STATUS:

01/30/2006 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

Position: SCAG-Sup 04/15/2005
Subject: Transport

CA SB 760

AUTHOR: Lowenthal (D)
TITLE: Ports: Congestion Relief: Security Enhancement
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2005
LAST AMEND: 05/27/2005
DISPOSITION: Pending - Carryover
LOCATION: Assembly Appropriations Committee
SUMMARY:

Imposes on each shipping container processed in the Port of Los Angeles or the Port of Long Beach a fee of \$30 per twenty-foot equivalent unit, payable by the marine terminal operator processing the container to the port where the marine terminal is located. Requires each port to retain 1/3 of the funds derived from imposition of the fee and transmit the remaining 2/3 in the amount of 1/2 due to the Port Congestion Relief Trust Fund and 1/2 to the South Coast Air Quality Management District.

STATUS:

06/27/2005 From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.

Position: SCAG-Watch 05/05/2005
Subject: Transport

CA SB 1020

AUTHOR: Migden (D)
TITLE: County Sales and Use Taxes: Rate Increase
INTRODUCED: 02/22/2005
DISPOSITION: Failed
LOCATION: SENATE
SUMMARY:

Authorizes a county or city and county to impose an additional 1/4 of 1% sales and use tax rate under

the Bradley-Burns Law. Requires a county or city and county that imposes this additional rate to deposit all revenues derived therefrom, less specified administrative costs, into a local transportation fund. Requires a county or city and county that imposes this additional tax to comply with the applicable voter-approval requirements of a specified provision of the California Constitution.

STATUS:

01/31/2006

Position:

Subject:

In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.

CALCOG-Sup

Revenue/Bond, Transport

CA SB 1024

AUTHOR:

TITLE:

FISCAL COMMITTEE:

URGENCY CLAUSE:

INTRODUCED:

LAST AMEND:

DISPOSITION:

LOCATION:

SUMMARY:

Perata (D)

Public Works and Improvements: Bond Measure

yes

no

02/22/2005

01/26/2006

Pending

ASSEMBLY

Enacts the Safe Facilities, Improved Mobility, and Clean Air Bond Act of 2005 to authorize general obligation bonds for the state transportation improvement program, levee improvements, passenger rail improvements, restoration of Proposition 42 funds, port infrastructure and security, trade corridors, transit security, grade separation, local bridge seismic projects, state-local transportation projects, emissions reduction, environmental enhancement, transit-oriented development, and housing for infill.

STATUS:

01/30/2006

Position:

Subject:

In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

CALCOG-Sup, SCAG-Watch 05/05/2005

Revenue/Bond, Transport

CA SB 1161

AUTHOR:

TITLE:

INTRODUCED:

DISPOSITION:

COMMITTEE:

HEARING:

SUMMARY:

Alarcon (D)

State Highways: Design-Sequencing Contracts

01/10/2006

Pending

Senate Transportation and Housing Committee

04/18/2006 1:30 pm

Relates to existing law authorizing the Department of Transportation, to conduct a pilot project to award design-sequencing contracts for the design and construction of not more than 12 transportation projects. Authorizes the department to award contracts for projects using the design-sequencing contract method, certain requirements are met.

STATUS:

01/19/2006

To SENATE Committee on TRANSPORTATION AND HOUSING.

CA SB 1163

AUTHOR:

TITLE:

INTRODUCED:

DISPOSITION:

LOCATION:

SUMMARY:

Ackerman (R)

Critical Infrastructure Facilities Bond Acts

01/10/2006

Pending

Senate Judiciary Committee

Enacts the California Critical Infrastructure Facilities Bond Act of 2006. Authorizes bonds for purposes of financing the acquisition, construction, or renovation of state trial court facilities, state park system capital assets, mental health hospitals, and certain other state facilities.

STATUS:

01/30/2006

In SENATE Committee on JUDICIARY: Heard, remains in Committee.

CA SB 1165

AUTHOR:

TITLE:

INTRODUCED:

DISPOSITION:

LOCATION:

SUMMARY:

Dutton (R)

Transportation Bond Acts of 2006, 2008, and 2012

01/10/2006

Pending

Senate Transportation and Housing Committee

Authorizes state general obligation bonds for various transportation purposes. Authorizes certain state and local transportation entities to use a design-build process for contracting on transportation projects.

STATUS:

01/19/2006

To SENATE Committees on TRANSPORTATION AND HOUSING and ENVIRONMENTAL QUALITY.

A SB 1282

AUTHOR: Ducheny (D)
TITLE: Transportation: Federal Funds: Border Infrastructure
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 02/14/2006
LAST AMEND: 03/29/2006
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 04/24/2006
SUMMARY:

Requires federal funds apportioned to the state under the coordinated border infrastructure program of the Safe, Accountable Flexible, Efficient Transportation Equity act: a Legacy for Users (SAFETEA-LU) to be programmed, allocated and expended in the same manner as other federal transportation capital funds in the state transportation improvement program. Authorizes use of funds for projects in Mexico.

STATUS:

04/04/2006

From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS.

CA SB 1384

AUTHOR: Kuehl (D)
TITLE: Los Angeles-Exposition Metro Line Light Rail Project
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2006
DISPOSITION: Pending
COMMITTEE: Senate Transportation and Housing Committee
HEARING: 04/18/2006 1:30 pm
SUMMARY:

Requires the Exposition Metro Line Construction Authority, upon allocation of federal, state, and local funds by the LACMTA, to conduct environmental studies in addition to the financial studies and the planning and engineering necessary for the completion of the Los Angeles-Exposition Metro Line light rail project. Revises the provisions requiring the LACMTA to enter into an agreement with the construction authority to hold in trust certain property and assets.

STATUS:

03/02/2006

To SENATE Committee on TRANSPORTATION AND HOUSING.

CA SB 1436

AUTHOR: Figueroa (D)
TITLE: Small Business: State Agency Information
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2006
LAST AMEND: 03/27/2006
DISPOSITION: Pending
COMMITTEE: Senate Business, Professions and Economic Development Committee
HEARING: 04/17/2006 2:30 pm
SUMMARY:

Requires the Department of Technology Services to create a link to state agency Web sites at the State of California Internet portal specifically for the use of small businesses in accessing information regarding startup requirements and regulatory compliance to the particular business. Requires each agency that significantly regulates small business or significantly impacts small business, to designate at least one individual who shall serve as a small business liaison for the agency.

STATUS:

03/30/2006

Withdrawn from SENATE Committee on RULES.

03/30/2006

To SENATE Committee on BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT.

CA SB 1493

AUTHOR: McClintock (R)
TITLE: Safe, Reliable High-Speed Passenger Train Bond: Repeal
INTRODUCED: 02/23/2006
DISPOSITION: Pending
LOCATION: Senate Transportation and Housing Committee
SUMMARY:

Repeals provisions of existing law that provides for submission of the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the voters for approval at the November 7, 2006, general election.

STATUS:

03/09/2006

To SENATE Committee on TRANSPORTATION AND HOUSING.

CA SB 1494

AUTHOR: McClintock (R)
TITLE: Top Priority Transportation Projects
INTRODUCED: 02/23/2006
DISPOSITION: Pending
LOCATION: Senate Transportation and Housing Committee
SUMMARY:

Authorizes the transportation to designate transportation projects of statewide significance as top priority projects. exempts these projects from the Environment Quality Act. Authorizes the Department of Transportation or other implementing agency to use design-build and design-sequencing procedures for the project.

STATUS:

03/09/2006

To SENATE Committees on TRANSPORTATION AND HOUSING and ENVIRONMENTAL QUALITY.

CA SB 1687

AUTHOR: Murray (D)
TITLE: L.A. County Metropolitan Transportation Authority
INTRODUCED: 02/24/2006
DISPOSITION: Pending
COMMITTEE: Senate Transportation and Housing Committee
HEARING: 04/18/2006 1:30 pm
SUMMARY:

Authorizes the Los Angeles County Metropolitan Transportation Authority to impose the tax subject to voter approval and other requirements. Extends the completion date for two of the projects, the Metro Center Connector and the Metro Red Line Extension to Fairfax Avenue.

STATUS:

03/09/2006

To SENATE Committee on TRANSPORTATION AND HOUSING.

CA SB 1703

AUTHOR: Lowenthal (D)
TITLE: State Transportation Commission
INTRODUCED: 02/24/2006
DISPOSITION: Pending
COMMITTEE: Senate Transportation and Housing Committee
HEARING: 04/18/2006 1:30 pm
SUMMARY:

Relates to the State Transportation Commission. Provides for 7 members appointed by the Governor, 1 member appointed by the Senate Committee on Rules, and 1 member appointed by the Speaker of the Assembly, plus the 2 ex officio nonvoting legislative members.

STATUS:

03/09/2006

To SENATE Committee on TRANSPORTATION AND HOUSING.

CA SCA 7

AUTHOR: Torlakson (D)
TITLE: Transportation Investment Fund
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/15/2005
LAST AMEND: 01/12/2006
DISPOSITION: Pending
FILE: 33
LOCATION: Senate Third Reading File
SUMMARY:

Proposes an amendment to the Constitution to make a nonsubstantive change to a specified Article which states that sales taxes on motor vehicle fuel that are deposited into the General Fund be transferred to the Transportation Investment Fund for allocation for various transportation purposes; authorizes this transfer to be suspended in whole or in part for a fiscal emergency by proclamation of the Governor and the enactment of a statute by the Legislature.

STATUS:

01/31/2006

In SENATE. Read second time. To third reading.

Subject:

Revenue/Bond, Transport

CA ACA 4 a

AUTHOR: Keene (R)
TITLE: State Finances
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/20/2005
LAST AMEND: 04/11/2005

DISPOSITION: Pending
LOCATION: Assembly Budget Process Committee
SUMMARY:

Proposes a Constitutional amendment that requires, rather than authorizes, the Governor to issue a proclamation declaring a fiscal emergency, and specifies that the proclamation would be issued when the Governor determines either that General Fund revenues will decline below the estimate of General Fund revenues upon which the Budget Bill for that fiscal year was based, or that General Fund expenditures will increase above that estimate of General Fund revenues, or both, by a specified amount.

STATUS:
04/11/2005 From ASSEMBLY Committee on BUDGET PROCESS with author's amendments.
04/11/2005 In ASSEMBLY. Read second time and amended. Re-referred to ASSEMBLY Committee on BUDGET PROCESS.

Commentary:
Prop 42 provisions only
Position: SCAG-Sup&Amend 05/05/2005
Subject: Revenue/Bond, Transport

US HR 3 **SPONSOR:** Young D (R)
 TITLE: Highway Program Funds
 INTRODUCED: 02/09/2005
 ENACTED: 08/10/2005
 DISPOSITION: Enacted
 LOCATION: Chaptered
 CHAPTER #: 109-59
 SUMMARY:
 Creates the Safe, Accountable, Flexible, Efficient Transportation Equity Act; authorizes funds for Federal-aid highways, highway safety programs, and transit programs.
 STATUS:
 09/01/2005 Public Law No. 109-59

US HR 113 **SPONSOR:** Kennedy M (R)
 TITLE: Gasohol Reduced Tax Rate
 INTRODUCED: 01/04/2005
 DISPOSITION: Pending
 LOCATION: House Transportation & Infrastructure Committee
 SUMMARY:
 Requires the Secretary of Transportation, in computing the estimated tax payments attributed to highway users for purposes of title 23, United States Code, to take into account the replacement of the reduced rates of tax on gasohol with an excise tax credit.
 STATUS:
 01/05/2005 In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcmt on HIGHWAYS, TRANSIT and PIPELINES.

US HR 996 **SPONSOR:** Thomas (R)
 TITLE: Highway Related Taxes
 INTRODUCED: 03/01/2005
 DISPOSITION: Pending
 LOCATION: HOUSE
 SUMMARY:
 Provides for the extension of highway related taxes and trust funds.
 STATUS:
 03/08/2005 From HOUSE Committee on WAYS AND MEANS: Reported as amended.

US HR 2649 **SPONSOR:** Markey (D)
 TITLE: Aviation Security
 INTRODUCED: 05/26/2005
 DISPOSITION: Pending
 LOCATION: Multiple Committees
 SUMMARY:
 Strengthens aviation security.
 STATUS:
 06/06/2005 In HOUSE Committee on HOMELAND SECURITY: Referred to Sub cmt. on ECONOMIC SECURITY, INFRASTRUCTURE PROTECTION, CYBERSECURITY.

5 HR 4071

SPONSOR: Flake (R)
TITLE: Transportation Spending Accountability and Flexibility
INTRODUCED: 10/18/2005
DISPOSITION: Pending
LOCATION: House Transportation & Infrastructure Committee
SUMMARY:
Creates the Accountability and Flexibility Associated with Spending on Transportation Act of 2005; relates to fund control to states for specified transportation related project; provides for the rescinding of federal transportation funds from states beginning September 30, 2006;.
STATUS:
10/19/2005 In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcmnt on HIGHWAYS, TRANSIT and PIPELINES.

IS S 2349

SPONSOR: Lott (R)
TITLE: Legislative Process
INTRODUCED: 03/01/2006
LAST AMEND: 03/28/2006
DISPOSITION: Pending
LOCATION: HOUSE
SUMMARY:
Provides greater transparency in the legislative process.
STATUS:
03/29/2006 In SENATE. Passed SENATE. *****To HOUSE.

JS S 2383

SPONSOR: Baucus (D)
TITLE: Equity Act
INTRODUCED: 03/07/2006
DISPOSITION: Pending
LOCATION: Senate Environment and Public Works Committee
SUMMARY:
Amends the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make a technical correction.
STATUS:
03/07/2006 INTRODUCED.
03/07/2006 In SENATE. Read second time.
03/07/2006 To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.

US S 2388

SPONSOR: Voinovich (R)
TITLE: National Commission
INTRODUCED: 03/08/2006
DISPOSITION: Pending
LOCATION: Senate Environment and Public Works Committee
SUMMARY:
Establishes a National Commission on the Infrastructure of the United States.
STATUS:
03/08/2006 INTRODUCED.
03/08/2006 In SENATE. Read second time.
03/08/2006 To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.

CA AB 134	AUTHOR: Nunez (D) TITLE: Public Infrastructure Bonds FISCAL COMMITTEE: yes URGENCY CLAUSE: yes INTRODUCED: 01/13/2005 LAST AMEND: 03/10/2006 DISPOSITION: Pending LOCATION: SENATE SUMMARY: Enacts A Plan for California's Future: The Traffic Safety and Congestion, Flood Protection, Clean Water, Schools, and Parks Act to authorizes a specified amount of state general obligation bonds. STATUS: 03/10/2006 In SENATE. From Inactive File. To third reading. 03/10/2006 In SENATE. Read third time and amended. Senate Rule 29.3 suspended. To third reading. 03/10/2006 In SENATE. Read third time, urgency clause refused adoption.
CA AB 1783	AUTHOR: Nunez (D) TITLE: Infrastructure Financing FISCAL COMMITTEE: no URGENCY CLAUSE: no INTRODUCED: 01/04/2006 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Provides for the financing of state and local government infrastructure through various funding sources, including bonds, fees, assessments, and other sources. Funds transportation, flood control, safe water systems, environmental improvement, housing, hospital seismic safety repair, and emergency public safety communications equipment. STATUS: 01/04/2006 INTRODUCED.
CA AB 1831	AUTHOR: Jones (D) TITLE: Critical Infrastructure Facilities Bond Acts INTRODUCED: 01/10/2006 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Enacts the Critical Infrastructure Facilities Bond Act of 2006. Authorizes bonds for the construction or renovation of state trial court facilities, state park system capital assets, mental health hospitals, and certain other state facilities. STATUS: 01/10/2006 INTRODUCED.
CA AB 1833	AUTHOR: Arambula (D) TITLE: Public Safety Bond Act of 2006 and 2010 INTRODUCED: 01/10/2006 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Enacts the Public Safety Bond Act of 2006. Authorizes, for purposes of financing the construction of county jail facilities, the replacement or relocation of facilities that support emergency fire response activities, development of a new state DNA laboratory, renovation or improvement of state correctional facilities and the development of state military facilities. STATUS: 01/10/2006 INTRODUCED.
CA AB 1836	AUTHOR: Daucher (R) TITLE: Teachers: Math, Science, and Engineering FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 01/10/2006 LAST AMEND: 04/06/2006 DISPOSITION: Pending

COMMITTEE: Assembly Education Committee
HEARING: 04/26/2006 1:30 pm
SUMMARY:

Requires the Department of Education to approve pilot programs to recruit professionals in any of the fields of math, science, and engineering to serve as professional teachers in order to ease the shortfall of math, science, and career technical education teachers who have professional experience in those fields in high schools and regional occupational centers and programs. Provides for approved extensions of such programs. Requires specified reports relating to the programs.

STATUS:

04/06/2006 To ASSEMBLY Committee on EDUCATION.
04/06/2006 From ASSEMBLY Committee on EDUCATION with author's amendments.
04/06/2006 In ASSEMBLY. Read second time and amended. Re-referred to Committee on EDUCATION.

AB 1838

AUTHOR: Oropeza (D)
TITLE: Transportation Bond Acts of 2006, 2008, and 2012
INTRODUCED: 01/10/2006
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Authorizes general obligation bonds for various transportation purposes. Pledges a percentage of existing fuel excise taxes and truck weight fees to offset the general fund cost for bond debt service. Authorizes transportation entities to use a design-build process for contracting on transportation projects.

STATUS:

01/10/2006 INTRODUCED.

AB 1839

AUTHOR: Laird (D)
TITLE: Water: Flood Protection and Clean, Safe Water Supply
INTRODUCED: 01/10/2006
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Enacts the Flood Protection and Clean, Safe, Reliable Water Supply Bond and Financing Acts of 2006 and 2010. Authorizes the issuance of bonds for the purposes of financing specified flood protection and water management programs, as scheduled.

STATUS:

01/10/2006 INTRODUCED.

CA SB 153

AUTHOR: Chesbro (D)
TITLE: Clean Water, Safe Parks, Coastal Protection
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/08/2005
LAST AMEND: 09/02/2005
DISPOSITION: Pending - Carryover
LOCATION: Assembly Appropriations Committee
SUMMARY:

Enacts the California Clean Water, Safe Neighborhood Parks, and Coastal Protection Act of 2006. Authorizes for the purposes of financing a program for the acquisition, development, improvement, preservation, rehabilitation, and restoration of agricultural, coastal, cultural, forest, historical, park, recreational and water resources in the state, the issuance of bonds, pursuant to the General Obligation Bond Law, of bonds in a specified amount.

STATUS:

09/02/2005 From ASSEMBLY Committee on APPROPRIATIONS with author's amendments.
09/02/2005 In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

CA SB 1024

AUTHOR: Perata (D)
TITLE: Public Works and Improvements: Bond Measure
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2005
LAST AMEND: 01/26/2006
DISPOSITION: Pending

MEMO

DATE: May 4, 2006

TO: Transportation and Communications Committee

FROM: Zahi Faranesh, SCAG staff

SUBJECT: Maglev Task Force Meeting Attendance

SUMMARY:

The following table indicates the schedule of Maglev Task Force meetings since last fiscal year, as well as the number of members present at each meeting. The Maglev Task Force is represented by a total of 40 members.

Meeting Date	Task Force Members Present
June 2005	10
July 2005	canceled
August 2005	canceled
September 2005	9
October 2005	canceled
November 2005	9
December 2005	12
January 2006	canceled
February 2006	8
March 2006	canceled
April 2006	12

Maglev Task Force meetings are scheduled to occur monthly, on the second Thursday of every month, from 11am to 1pm. Meetings have been cancelled in the past based either on scheduling conflicts among members - due to holidays or lack of attendance due to other events - or when there would be no action items or important information items to present, per the direction of the Task Force. Given the number of studies that have recently commenced under the Maglev Deployment Program, it is not anticipated that future meetings will be cancelled due to a lack of action items or important information items.

BACKGROUND:

On April 6, 2006, the TCC requested a staff report on the attendance of the Maglev Task Force and its meeting cancellation policy. Specifically, staff was asked to provide an understanding of what the attendance at the Maglev Task Force meetings has been, as well as the rationale for cancellations.

REPORT

DATE: May 4, 2006

TO: Regional Council and Transportation and Communications Committee

FROM: Don Rhodes (x840)

SUBJECT: S.2388 – National Infrastructure Improvement Act of 2006

EXECUTIVE DIRECTOR'S APPROVAL:

Has [Signature] for MP

RECOMMENDED ACTION:

Support S.2388 and the establishment of the "National Commission on the Infrastructure of the United States".

SUMMARY:

This bill establishes a National Commission on Infrastructure of the United States. The commission is authorized to ensure that the infrastructure of the United States meets current and future demand and facilitates economic growth. Its members will be appointed by the President and by Congress (there will be seven members in total).

Further there will be established a Cabinet level advisory group, also including representatives of the National Governors Association, the National Association of Counties, the United States Conference of Mayors and the National Conference of State Legislators to provide assistance and advice on request of the Commission.

The Commission is tasked to conduct a study including:

- the capacity of infrastructure improvements to sustain current and anticipated economic development and competitiveness
- the age and condition of public infrastructure (including congestion and changes in
- the condition of that infrastructure as compared with preceding years);
- the methods used to finance public works improvements (including general obligation bonds, tax-credit bonds, revenue bonds, user fees, excise taxes, direct governmental assistance, and private investment);
- any trends or innovations in transportation finance;
- investment requirements necessary to maintain the current condition and performance and the investment needed to improve those facilities in the future;
- the projected share of Federal, State, local, and other government levels
- the projected expenditure on infrastructure facility improvements;
- estimates of the return to the economy from public works investment;
- any trends or innovations in infrastructure procurement methods; and
- any trends or innovations in construction methods or materials.

Funding for the Commission is authorized at up to \$1,000,000 for each of FY2008 and FY2009. The Commission will sunset in September 2009.

REPORT

This bill has been referred the Senate Committee on Environment and Public Works and is expected to be scheduled for hearing.

BACKGROUND:

The National Infrastructure Improvement Act of 2006 was introduced on March 08, 2006 by Senator Voinovich of Ohio.

FISCAL IMPACT:

No fiscal impact

MEMO

DATE: May 4, 2006

TO: Transportation and Communications Committee

FROM: Nancy Pfeffer, Senior Regional Planner
pfeffer@scag.ca.gov
213-236-1869

SUBJECT: Maritime Goods Movement Coalition Proposal

SUMMARY:

Mr. Robert Wyman will be giving a presentation on a market-based strategy to reduce environmental impacts from goods movement. Mr. Wyman is currently an environmental attorney with the law firm of Latham and Watkins.

The attached document, entitled 'Maritime Goods Movement Coalition', is included as Appendix G of the California Air Resources Board Proposed Emission Reduction Plan for Ports and Goods Movement, released on March 21, 2006.

This document can be found at: <http://www.arb.ca.gov/planning/gmerp/gmerp.htm>.

DOCS# 120964

APPENDIX G

November 23, 2005

Maritime Goods Movement Coalition

Goods Movement Attainment Plan (GMAP) – Key Elements

The Maritime Goods Movement (MGM) Coalition is a coalition of stakeholders in the maritime goods movement sector who have joined together to develop a long-term, comprehensive goods movement plan that will allow the region to attain national air quality standards and address local public health concerns while still protecting the region's economy and ensuring continued economic growth. Current members include representatives of the ports, terminal operators and fuel and energy providers.

The Coalition has prepared the following summary of its proposed Goods Movement Attainment Plan (GMAP). We present this summary as an outline of elements that would describe an ideal program, recognizing that there are several elements that cannot be implemented immediately. For example, the Coalition strongly supports the development of a long-term (e.g., 20-year) master plan for the goods movement sector, which would address the interrelationship among the goods movement system, the Southern California communities it impacts, the customers it serves, the jobs it provides and other relevant considerations. But we recognize that we should not wait for the completion of such a master plan to address air quality or public health needs or to make the infrastructure investments necessary to improve the efficiency of the goods movement sector and to permit continued economic growth. Therefore, we set forth the description below with the expectation that the many of the most important air quality and public health improvement strategies, as well as several of the most essential infrastructure investments, should proceed promptly even before the master plan is completed. We envision that the master plan would develop in parallel with these initial air quality, public health and infrastructure investments, so that in the relatively near term the interrelated elements of the goods movement system could be fully integrated within a goods movement master plan. Accordingly, although the description below sets forth a comprehensive goods movement strategy that will take some time to develop fully, our expectation is that certain components of the strategy would commence promptly.

In the summary that follows, references to the South Coast Air Quality Management District (SCAQMD) or to Southern California are for illustration only and should be read equally to refer to the Bay Area Air Quality Management District or to the Bay Area.¹

¹ San Diego is currently in attainment of the National Ambient Air Quality Standards and therefore is not directly addressed in this outline.

Set forth below are the Coalition's recommendations regarding (1) a long-term master plan for the goods movement sector, (2) a market for the goods movement sector to reduce emissions, improve public health and invest in transportation improvements, and (3) a system of enforcement and monitoring to ensure goals are achieved.

Element	Description
GMAP Master Plan	<p>Under the GMAP, a 20-year master plan would be developed for the goods movement sector in each region of the state. Its purposes would include the enhanced efficiency and performance of the goods movement system, the attainment of the ozone and fine particulate standards and the improvement of public health in communities impacted by the goods movement sector. It would:</p> <p>(1) contain strategies for the expeditious improvement of air quality and public health in local communities;</p> <p>(2) define the state implementation plan (SIP) elements for the goods movement sector;</p> <p>(3) establish a baseline emissions inventory and projected emissions levels for future years, which anticipate and address growth in the sector; and</p> <p>(4) establish transportation conformity benchmarks for the sector that would be incorporated in SCAG's Regional Transportation Plan and the SIP.</p> <p>As noted above, we anticipate that certain elements of the GMAP would proceed promptly (e.g., in pilot form) and would be integrated with the master plan as it is developed.</p>
Master Programmatic EIR/EIS	<p>The plan would be supported by a programmatic Environmental Impact Report/Environmental Impact Statement (EIR/EIS) under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), which would evaluate the potential environmental impacts of anticipated projects in the goods movement sector over the next 20 years.</p> <p>We recognize the sequencing challenge between the development of the goods movement master plan and the next SIP. Our expectation is that these two planning documents, and their respective environmental evaluation, would be integrated to the greatest extent possible.</p>
Infrastructure Elements	<p>The plan would identify those infrastructure investments that will be needed to reduce goods movement-related emissions and congestion in the region and to improve the efficiency of the goods movement system. It would identify potential public and private strategies for financing such projects, including the use of SIP credits, emissions</p>

	credits and emissions fees as noted below. It also would include recommendations for process and operational improvements in the goods movement system that might increase efficiency and reduce emissions. We are developing a list of illustrations.
Administering Authority	At the outset, the GMAP would be initiated by existing state and regional authorities. However, as the master plan is developed and as activity associated with the plan increases, it seems appropriate that the GMAP be administered by a newly-established joint powers authority (the Goods Movement Authority (GMA)), consisting of representatives of agencies and entities with expertise in the goods movement sector, including, e.g., in Southern California, the Ports of Los Angeles and Long Beach and their respective Cities, the California Air Resources Board, the South Coast Air Quality Management District, and the Southern California Association of Governments, with an appropriate advisory role for the U.S. Environmental Protection Agency. An analogous organization would be established in Northern California, as appropriate.
Performance Targets and Timetables (i.e., the Schedule for Emission Reductions)	<p>The GMAP would establish performance targets and timetables for the reduction of emissions from sources in the goods movement sector (e.g., cargo handling equipment, auxiliary and propulsion engines, harbor craft). These would be framed in terms of emissions per unit of output or other performance indicator.</p> <p>Performance targets and timetables would be contained in regulations adopted by appropriate regulatory agencies or the GMA, as part of the rulemaking process following properly noticed public workshops and hearings.</p> <p>Existing CARB regulations would be used as presumptive targets and timetables where they have already been adopted.</p>
The GMAP Market	<p>The GMAP would include as a primary element an emissions reduction market. This market could be designed either as an open or closed market, with specific characteristics noted below.</p> <ol style="list-style-type: none"> 1. Assuring Environmental Performance. Both options are designed to ensure that the market will meet overall air quality and public health goals, including avoidance of creating excess, or “paper” credits, and mechanisms to ensure that the program will deliver local benefits notwithstanding credit trading. 2. Market Participation. Participation in the market would be required of some sources, while others would have the option of entering the market through an enforceable mechanism such as a memorandum of understanding (MOU), a lease provision or amendment, or other binding document. As noted below, sources that do not meet the program’s performance targets and timetables, either directly or

	<p>by obtaining sufficient credits to offset their emissions, would be required to pay an excess emissions fee into the GMAP investment fund as a condition of the use of the state's goods movement system.</p> <p>3. Exclusion of Some Categories. In certain circumstances, it may be more appropriate to regulate one or more source categories outside of the GMAP market. Further analysis will be required to make this determination.</p> <p>4. Market Transparency and Information. We recommend that, to provide clear price signals to market participants and to prevent errors due to misinformation regarding the supply of and demand for credits, the GMA would provide a web-accessible central data system reflecting all relevant market activity, including real-time information regarding credit supplies and the volume and price of credit transactions.</p>
Allowances Under Option One – Open Market	<p>No allowances issued. Credits are generated when the emissions <i>rate</i> of a regulated activity has been reduced early or beyond the applicable performance targets.</p> <p>The amount of credit in each case would equal the product of the degree of environmental improvement (e.g., the required emissions rate as specified in the performance standard less the actual or certified emissions rate) times the applicable activity level.</p> <p>Under the open market approach, the GMA would periodically adjust performance targets and timetables to ensure that the region's overall goods movement-related emissions remain on track.</p>
Allowances Under Option Two – Closed Market	<p>Allowances would be issued to existing sources subject to GMAP performance targets and timetables. We are currently evaluating options, but it may be appropriate to allocate allowances to terminal operators rather than to the specific vessels that visit the ports.</p> <p>Initial allowances would be based on current activity levels. Allowances for additional activity (i.e., growth) could be purchased from the market or the GMAP investment fund.</p>
Eligible Credit Generators	<p>Credits can be generated at any source that is subject to a performance target. We are currently analyzing options regarding the appropriate placement of emission reduction responsibility (i.e., whether responsibility should follow each source or be aggregated, e.g., at the terminal operator level). We envision that any person could invest in emission reductions at sources for which a performance target has been set and, through appropriate contract provisions or according to regulation, become a seller of credits.</p>

Eligible Credit Users	<p>Any source subject to a GMAP performance target, unless the source is located in a priority zone.</p> <p>Also, qualified sources outside of the GMAP (e.g., stationary sources) if the SCAQMD has determined that such sources are eligible to purchase credits for approved uses.</p>
Approved Credit Uses	<p>Regulated GMAP sources would be required to hold credits to offset any emissions in excess of GMAP performance targets.</p> <p>Qualified sources outside of the GMAP also could use credits as an alternative source of compliance with SCAQMD-designated rules, including select 1100-series rules (Source Specific Standards) and to meet the offset requirements of SCAQMD Regulation XIII (New Source Review).</p> <p>Sources could not purchase credits as an alternative means of complying with SCAQMD Regulation XIV (Toxic Air Contaminants).</p>
Priority Zones and Priority Sources	<p>Based on the continued air quality and public health studies conducted by the ARB, the SCAQMD and the California Office of Environmental Health and Hazard Assessment, the GMA would identify communities exposed to disproportionately high health risk from sources in the goods movement sector. These zones would be designated as priority zones for the purpose of accelerating investments to address air quality impacts. Sources that are identified as contributing significantly to the disproportionate risk in such zones also would be designated as priority sources for purposes of the GMAP program.</p>
Special Investment Incentives and Trading Rules for Priority Sources Located in Priority Zones	<p>Under the GMAP market, designated priority sources located in priority zones would be entitled to receive funding from the GMAP investment fund, from eligible credit users from within and without the goods movement sector (i.e., to accelerate investment in the priority zones).</p> <p>Priority sources located in priority zones would not be allowed to purchase credits from outside such zones for use within such zones (e.g., to defer or avoid emission reductions there).</p> <p>(We are considering whether and to what extent it might also be appropriate to accelerate investment in priority zones further by preferentially weighting credit generation in such zones. This element will require additional analysis.)</p>
Special Targets and Tracking for Priority Zones	<p>The GMAP will establish accelerated emissions and risk reduction targets for priority zones. The GMA will track program performance according to these targets on an annual basis and determine whether additional strategies are appropriate to ensure the reduction of risk and the improvement of public health in priority zones.</p>

GMAP Investment Fund	Eligible sources would be entitled to purchase emission reduction credits from the GMAP investment fund. The GMAP investment fund would be used to finance the further reduction of emissions from the goods movement sector beyond otherwise applicable requirements, either by installing controls, converting fuels, improving the efficiency of the goods movement system or by investing in other appropriate emissions reduction or efficiency-enhancing measures.
Lease Provisions	<p>The ports would continue to exercise their leasing authority; however, projects that participate in the GMAP market would satisfy the air quality-related conditions of any lease.</p> <p>Sources or projects that are not subject to the GMAP market would continue to be subject to project-specific air quality lease conditions.</p>
Project-by-Project Review	Projects would continue to be evaluated under CEQA or NEPA to the extent previously required; however, participation in the GMAP market would be deemed to mitigate any project-related air quality impacts.
Excess Emission Fees	Sources that do not elect to participate in the GMAP market and that do not otherwise comply with the GMAP performance targets and timetables would be subject to an excess emissions fee as a condition of entry into the ports and participation in the goods movement system.
Fee Uses	<p>Funds collected from the excess emissions fee would be used in the GMAP investment fund to improve the environmental, public health and transportation performance of the goods movement system.</p> <p>To the extent practicable, the funds would be used to mitigate directly the excess emissions of the source paying the fee (e.g., by financing surplus emission reductions through the construction and operation of controls or other emission reduction strategies).</p>
Monitoring, Inspection, Reporting, Tracking and Other Accountability Mechanisms	<p>Accounting would occur at several levels. At the source level, sources would be required to log and report their emitting activities when located within the goods movement zone (to be determined). These reports would be subject to periodic inspections. The GMA also would track and make publicly available data regarding overall sector activity and emissions in the region. Periodically, the GMA would compare program progress and performance, including analysis regarding the overall efficiency of the goods movement sector (e.g., by transit time), emissions and air quality improvement.</p> <p>The GMA also would publish promptly all relevant information regarding investments by the GMAP investment fund, including the cost of such investments and the emission reductions and other benefits achieved thereby.</p> <p>The GMAP market program would be subject to periodic independent audit by an appropriate authority.</p>

<p>Legal Authority and Enforcement Mechanisms</p>	<p>We are still evaluating the most appropriate means of assuring that the GMAP will be fully enforceable and effective in delivering the desired air quality and public health improvements and improvements in transportation efficiency. No determination has yet been made regarding the desirability or need for specific authorizing legislation at either the federal or state level. At the present time, however, we anticipate that the GMAP program can be implemented on the following basis.</p> <ol style="list-style-type: none"> 1. Election to Binding Participation. Unless a source category is specifically excluded from participation in the GMAP market (see above), sources will be encouraged to elect binding participation. Material incentives include potential monetary gain through the generation and sale of credits, long-term certainty regarding the performance targets and timetables of the GMAP over the next 20 years, avoidance of unknown environmental mitigation measures as part of project-by-project lease review, higher confidence in the overall performance of a goods movement system that will be functioning in an integrated and well-planned manner. 2. Leasing Authority. To the extent that a source does not elect to binding participation in the GMAP market, it would continue to be subject to project-by-project standard setting as part of each port's leasing authority. 3. Excess Emissions Fee. Sources that do not comply with the GMAP performance targets or hold sufficient credits would be required to pay an excess emissions fee imposed by the port of entry as a condition of use of the port. 4. Inclusion in the SIP. By inclusion in the applicable SIP, performance commitments associated with the GMAP market and other program requirements would be subject to enforcement by EPA and citizens to the extent provided by the federal Clean Air Act.
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November 22, 2005

Maritime Goods Movement Coalition

The Maritime Goods Movement Coalition has been formed to develop a long-term, comprehensive goods movement plan (the “Goods Movement Attainment Plan”) that will allow the region to attain national air quality standards and address local public health concerns while still protecting the region’s economy and ensuring continued economic growth.

There is consensus among policymakers that we must reduce emissions from the goods movement sector if we are ever to attain national health standards for ozone and fine particulate matter. Most other sources of emissions are already very heavily controlled. Not only are port and goods movement-related emissions relatively un- or undercontrolled, but total emissions from this sector will grow substantially as the sector experiences continued economic growth.

But regulating the goods movement sector is not a simple matter. To be effective, regulations must overcome unique legal obstacles, including the lack of legal authority to regulate certain major sources. Regulations also must be sufficiently integrated to avoid unintended consequences, such as increasing congestion or shifting goods from lower to higher emitting modes of transportation. They must also be economically efficient if the region is to preserve the thousands of jobs related to the goods movement sector and to avoid wasting billions of dollars of scarce economic resources. The region’s health and economic welfare are both at stake. Piecemeal regulation cannot possibly meet these multiple challenges. Instead, we will need an integrated, long-term strategy that can deliver clean air and reduce congestion while preserving the region’s economic and employment opportunities.

The Maritime Goods Movement Coalition has been formed for the purpose of designing an integrated, market-based program that can best meet these multiple challenges. Properly designed, the program would dramatically and quickly improve both air quality and public health and encourage more efficient goods movement. By selectively using market tools, the proposal would significantly reduce the cost of achieving these objectives, provide greater flexibility to regulated sectors and allow the region to address activities that cannot be regulated in traditional ways.

A Comprehensive Air Quality Attainment Plan – the Goods Movement Attainment Plan

As initially envisioned, the Goods Movement Attainment Plan would set phased performance targets designed to enable the South Coast Air Basin to attain the national ozone standard as required by 2021 (or 2025) and the fine particulate standard by 2015. To achieve these air quality goals at the lowest cost, the plan would permit regulated sources to design solutions tailored to their own operations. The plan also would allow sources to generate and trade emission reduction credits to help finance emission reductions and to reward early actions. The plan would also include an investment fund financed by sources unable to meet the performance targets that would be invested in pollution control. A similar program could be developed for the Bay Area.

One important aspect of the plan is that it would incorporate anticipated growth in the volume of goods moved through the region and mitigate the air quality impacts of such growth through the plan's performance standards. This element would encourage conforming projects by streamlining CEQA review for such projects. Finally, the plan would provide significant near-term public health benefits, because it would preferentially credit the reduction of emissions that occur near communities and other sensitive receptors.

Plan Benefits

Relative to other plans that have been proposed, the Goods Movement Attainment Plan is designed to achieve the following benefits for the region in addition to achieving the targeted air quality objectives:

- ◆ ***Greater Flexibility*** – the plan would provide regulated entities with the flexibility to design solutions that are best suited to their own operations and that occur over a time frame commensurate with the national attainment deadlines (e.g., 2015 for particulate matter and 2021 (or 2025) for ozone);
- ◆ ***Greater Near Term Community Health Benefits*** – in the near term the plan could deliver greater public health benefits by attracting and accelerating investment in locations nearest to communities and other sensitive receptors.
- ◆ ***Lower Cost*** – the plan would reduce the cost of compliance by allowing sources involved in goods movement and in other sectors to generate and trade emission reduction credits;
- ◆ ***More Effective Regulation*** – by using market strategies, the plan can encourage emission reductions by sources that cannot be reached by traditional government regulation;
- ◆ ***Greater Economic Opportunities*** – the plan would protect reasonable economic growth at the ports by addressing conforming growth in the air quality plan and by ensuring a cost-effective means of meeting the plan's performance targets; and
- ◆ ***Fewer Future Project Hurdles*** – the plan would streamline approval of conforming projects at the ports by developing a master plan that incorporates mitigations into the plan's overall performance guidelines, thus reducing the uncertainties associated with project-specific CEQA review.

Questions and Answers

1. How would the Goods Movement Attainment Plan lower the overall cost of reducing emissions?

Answer: Under a market program, regulated sources can select the most cost-effective means of reducing emissions. They also can tailor controls to match their own unique operations in ways that often cannot be anticipated by regulators. Furthermore, under a market program, sources can time their expenditures to coincide with other investments. Historically, market programs implemented in the U.S. have demonstrated cost savings in the range of 25% or more.

As early as the 1970s the United States has used market strategies, such as emissions trading, to achieve emission reductions in the most cost-effective manner. One early program was the lead trading program, designed to remove lead from gasoline. More recent programs include the Regional Clean Air Incentives Market, or RECLAIM, which regulates large sources of oxides of sulfur and nitrogen in the South Coast Air Basin, and the acid rain program implemented nationally. Economic evaluations of such programs suggest that they achieve very substantial cost savings, lowering the cost relative to traditional command-and-control programs by as much as fifty percent (50%). *See, e.g.,* Ellerman, Jaskow and Harrison, “Emissions Trading in the U.S. – Experience, Lessons and Considerations for Greenhouse Gases,” at 32 (Pew Center on Global Climate Change, May 2003).

2. How does a market program enhance environmental effectiveness?

Answer: A market program enhances environmental effectiveness by creating economic value for reducing emissions. In this circumstance, it also creates an opportunity to overcome potential legal impediments to regulation.

A well-designed market program enhances environmental effectiveness because it rewards conservation; it creates an economic incentive to accelerate investment in clean technologies; it provides a means of addressing economic hardship, which otherwise would serve to discourage, disable or diminish regulation; it aligns stakeholders and thus encourages consensus; and it creates rewards for innovation. *Id.* at 32-34. In this context, it also provides a means of overcoming otherwise formidable legal impediments to regulating emissions from sources such as rail engines and ocean-going vessels because such sources will have an incentive to participate in the market to realize economic opportunities. Furthermore, the fee mechanism is more likely to withstand legal challenge because it is tied directly to an activity’s excess emissions, it can be avoided entirely if the source meets performance standards or provides offsets, and the funds would be directed to mitigate the activity’s impact.

3. How can the plan prioritize public health benefits?

Answer: As currently envisioned, the plan will accelerate the reduction of emissions that pose the greatest risk to local communities. It will do this by establishing higher credit values for those investments that disproportionately benefit public health.

The proposed plan will create an economic incentive for those investments that yield the greatest health benefit. For example, the plan might pre-approve the generation of credits from reducing emissions that occur closest to local communities or to sensitive receptors or from reducing emissions that are considered the most toxic. The plan also may apply special weighting factors, or provide for expanded credit uses, so that such credits are valued more highly than other credits. The California Air Resources Board has recently evaluated health risk in local communities. The coalition intends to work with CARB, the SCAQMD and the local communities to identify those emission reductions that would deliver the greatest health benefits.

To ensure further that the desired emission reductions occur in local communities, we have crafted our proposal to prohibit sources from avoiding or deferring otherwise-required emission reductions by purchasing credits if their emissions significantly contribute to local risks in communities found by CARB or the SCAQMD to be exposed to disproportionately high risk. Of course, we want to encourage such sources to accelerate their emission reductions and, therefore, will recommend financial strategies to incentivize reductions beyond required levels. This can be achieved, among other means, by allowing them to generate credits for use outside of such higher-risk zones. This approach should further ensure that investments are attracted and accelerated in local communities that experience higher risk.

4. Wouldn't this program simply allow sources to "pay to pollute?"

Answer: For the first time, the plan will address all sectors of pollution in the ports, thus making all emissions sources accountable. Moreover, by creating financial value for emission reductions, the plan will make it possible to finance many otherwise orphan emission reductions (e.g., the existing truck fleets). Imposing accountability on all sectors will be necessary if the region is to attain the air standards.

The real problem under current law is that, in the goods movement sector, many polluters don't pay for their pollution, because, under current law, many port sources are not regulated at all. Even as government begins to regulate more goods movement sources, without using market strategies, it will be unable to address many if not most of the emissions, such as vessel emissions or emissions from the existing truck fleet.

The Goods Movement Attainment Plan is intended to address all of the sector's emissions either by imposing performance requirements on such sources or, in the case of existing vehicle fleets, by creating an efficient means of financing reductions from such fleets. The program thus ensures that all polluters are accountable, or in a sound bite, ensuring that "all polluters pay." Moreover, by establishing a new market for emission reductions in and around

the ports, the program would create a powerful economic incentive for emission reductions wherever and whenever they can be found.

5. What are the deadlines for meeting EPA's ozone and fine particle air quality standards?

Answer: 2021 or 2025 for ozone and 2015 for PM2.5.

Under the Clean Air Act, EPA issues national ambient air quality standards (NAAQS) for various classes of pollutants. Exposure to levels higher than such standards is considered unhealthful. Among other categories, EPA has set NAAQS for ozone and fine particles. In California, the most difficult air quality challenges exist in the South Coast Air Basin, which consists of Los Angeles, Orange and portions of Riverside and San Bernardino Counties. The Basin currently fails to meet the NAAQS for ozone and fine particulates.

A. Ozone Standard:

Ground level ozone pollution, commonly referred to as "smog," is formed when volatile organic compounds (VOC) react with oxides of nitrogen (NO_x) in the presence of sunlight. Although EPA had previously defined the ozone standard on the basis of peak one-hour readings, in 1997 EPA revised the NAAQS for ground-level ozone, setting it at 0.08 parts per million averaged over an 8-hour time frame. The current ozone standard is thus commonly referred to as the "8-hour ozone standard."

EPA designates areas that do not meet the NAAQS as "nonattainment" for that pollutant. Based on current ozone readings in the South Coast, EPA has designated the South Coast Air Basin as a "Severe-17" nonattainment area. Under EPA's regulations, the South Coast has until the year 2021 (or 17 years from the June 15, 2004 effective designation date) to attain the current ozone standard. *See* 69 Fed. Reg. 23858, 23863, 23882 (April 30, 2004); 40 CFR § 81.305. This deadline would become 2025 if the region were designated an "Extreme" area, as currently contemplated by the SCAQMD.

EPA has announced its intention to revoke the previous 1-hour ozone standard, which had an earlier attainment date of 2010. The 1-hour standard will be revoked effective June 15, 2005. *See* 69 Fed. Reg. 23951, 23954 (April 30, 2004, effective June 15, 2004) ("We will revoke the 1-hour standard in full, including the associated designations and classifications, 1 year following the effective date of the designations for the 8-hour NAAQS.")

B. Fine Particle Standard:

Fine particle pollution is a mixture of microscopic solids and liquid droplets suspended in air. Fine particles can be emitted directly or formed in the atmosphere from a variety of combustion sources. EPA has determined that fine particles less than or equal to 2.5 micrometers (µm) pose the greatest risk. EPA's NAAQS for PM_{2.5} include both an annual standard (15 µg/m³ based on a 3-year average of annual mean PM_{2.5}

concentrations) and a 24-hour standard ($65 \mu\text{g}/\text{m}^3$ based on 3-year average of 98th percentile of 24-hour concentrations).

EPA has designated the South Coast Air Basin as “nonattainment” for the PM_{2.5} NAAQS. Nonattainment areas that experience severe PM_{2.5} problems are eligible for a five-year extension beyond the initial 2010 attainment deadline, for a final compliance deadline of 2015. *See* 70 Fed. Reg. 944 (January 5, 2005, effective April 5, 2005).

The Goods Movement Attainment Plan would be designed to achieve gradually increasing emission reductions so as to enable the South Coast Air Basin to meet the 2021/2025 and 2015 final attainment deadlines for the ozone and fine particle standards.

6. How will the Goods Movement Attainment Plan set performance targets?

Answer: Sector-specific performance targets will be expressed as an expected emissions rate per unit of activity and will be phased in over time.

The coalition will evaluate each goods movement sector to determine the full range of strategies available to reduce emissions and improve air quality. For those strategies that are technologically feasible, cost-effective and clearly beneficial, the coalition will recommend their direct implementation over an appropriate time frame.

There will be many other areas for which significant uncertainties remain regarding the feasibility, cost or benefit associated with one or more strategies for certain sectors. In such cases, the coalition will recommend a sequence of phased emission reductions over the attainment period (i.e., 16 or 20 years for ozone and 10 years for PM_{2.5}). Individual entities will retain the discretion to determine how to meet these reduction targets and will, in most cases, be encouraged to find approaches that are best suited to their own operations. Under the proposed market program, sources that do better than the phased emission reduction targets will generate emission reduction credits that can be traded and used in the market. Those who miss the targets will be required to hold sufficient offsetting credits or otherwise take mitigating action.

Example: Instead of mandating a particular approach for reducing ship emissions, the plan will establish phased emission reduction levels, probably expressed in terms of an emissions rate per unit of activity (e.g., pounds of emissions per unit of fuel consumed or power output). Under the plan, ships could use any means of meeting that target (e.g., exhaust treatment, barge control, sea water scrubbing, shore-side electrification).

7. How will the market work?

Answer: The market will allow sources to average their emissions to meet performance targets. Sources that act early or perform better than expected can generate tradable surplus emission reduction credits. Those that miss their targets will need to obtain offsetting credits or otherwise mitigate their excess emissions.

A. Credit Generation

Under the proposed plan, any source that is subject to a performance target will have the opportunity to generate tradable surplus emission reduction credits by achieving greater than expected reductions or by achieving reductions earlier than required.

B. Credit use

Under the proposed plan, any regulated source can purchase credits and use them as a means of demonstrating compliance with their own performance targets. Likewise, sources outside the goods movement sector can purchase credits from this program for their own compliance with air quality regulations or as a source of offsets for new business growth. One clear advantage of this proposal is to encourage investment in the goods movement sector from both within and outside the sector.

C. Targeted Mitigation Fee or Safety Valve

Under the proposed plan, regulated entities that fail to meet their performance targets and that have not otherwise demonstrated compliance (e.g., by purchasing credits), would be required to pay a mitigation fee for any excess emissions. This “safe harbor” mitigation fee would be applied either to port/goods movement infrastructure improvements or to other emissions mitigation strategies.

D. Ports/Goods Movement SIP and Periodic Adjustments

The plan can be designed as either a “closed” or “open” market (see other documents for a more detailed description of this design choice). If the plan is implemented as an “open” market that follows growth in the sector, it will be necessary periodically to evaluate whether the performance targets provide the desired level of progress towards attainment of the ozone and fine particle standards. Under the proposed plan, any necessary periodic adjustments would be made as part of a Ports/Goods Movement state implementation plan (SIP).

8. How will the plan address future growth?

Answer: The Ports/Goods Movement SIP will include projected emissions due to anticipated growth and will set performance targets accordingly.

Working with the Southern California Association of Governments and the air quality agencies, the Ports and Goods Movement participants would identify anticipated growth during the plan period (i.e., through the year 2021). The plan’s performance targets would take such growth into account, subject to periodic adjustments as noted above. Because the plan would incorporate anticipated growth, provide performance expectations for all sources, and provide for mitigation of all material air quality impacts, the Goods Movement Action Plan would be designed to satisfy CEQA requirements for evaluating the air quality impacts of new projects. This would substantially streamline project-specific review for conforming projects.

Maritime Goods Movement Coalition

April 19, 2006

LATHAM+WATKINS

Latham & Watkins LLP is a United States corporation, established in 1900, with offices in the United States and 14 other countries. It is a member of the law firm of Latham & Watkins LLP, which is a member of the law firm of Latham & Watkins LLP, which is a member of the law firm of Latham & Watkins LLP.

Context

- Focus on air quality and public health impacts of goods movement
- Funding mechanism to ensure mitigation of goods movement sector impacts
- Program designed to encourage participation by major sources, many not subject to state or local control

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2

Context - Why We Need a Comprehensive Goods Movement Air Quality Strategy

- We need a comprehensive air quality strategy for the ports and goods movement sector because:
 - Sector sources contribute disproportionately to air pollution and to local public health impacts
 - The region cannot attain the new ozone or fine PM standards (or demonstrate "reasonable further progress") without regulating this sector
 - Without such a strategy, sector growth will be stymied or significantly delayed by project-by-project CEQA challenges
 - Significant infrastructure investments will likely be delayed or prevented without such a strategy (e.g., due to CAA sanctions, conformity failures, CEQA challenges or political opposition)

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3

Why a Comprehensive AQ Strategy?

- A comprehensive AQ strategy would permit the state to integrate otherwise piecemeal legislative and regulatory activities:
 - Port Leasing Policies
 - CARB Rulemaking
 - Governor's GMAP
 - State Legislation
 - SCAQMD Rulemaking
- Piecemeal measures will be extraordinarily costly and will likely restrict growth and employment

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4

MGM Coalition Mission

- Develop an integrated AQ plan with the following characteristics:
 - Contribute to attainment of the ozone and fine PM air quality standards
 - Address material local health impacts
 - Provide for lowest-cost solutions
 - Provide flexibility in designing solutions
 - Improve goods movement efficiency
 - Protect goods movement economy
 - Encourage investment in the sector
 - Secure the time needed to make necessary investments
 - Avoid costly and time-consuming project-by-project battles

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Proposal

- **Integrated, Attainment-Based Plan**
 - *Integrated* air quality attainment plan for the maritime goods movement sector
 - Tied to attainment dates for 8-hour ozone (2021-24) and the new fine PM (2015) standards
 - Plan would constitute the "state implementation plan" for the sector
- **Market-Based Performance Program**
 - Optimize for lowest cost subject to local health priorities
 - Set performance targets and timetables
 - Allow sources to comply with performance targets by designing their own strategies
 - Early actors generate tradable credits
 - Sources that fail to meet performance path must hold offsetting credits or pay "safe harbor" fee
 - Infrastructure improvements that reduce goods movement impacts could generate tradable credits

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Proposal (continued)

- Growth-Loaded Plan
 - By incorporating projected growth and identifying air quality mitigation in advance, the MCM Plan should streamline CEQA review of specific conforming projects
 - Project impacts would be evaluated relative to the plan's emissions and risk performance targets
- Prioritize Public Health Benefits
 - Identify sources and locations of greatest exposure
 - Accelerate, pre-certify and, if appropriate, weight strategies that address target emissions
 - Encourage early reductions (credit generation) at higher-risk locations, defer credit use at such locations until risk benchmarks met

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Key Areas of Controversy:

1. Allowance-Related Risks

- Allowance risks
 - Potential Problems:
 - The program could fail to meet *environmental* goals if too many allowances (i.e., credits) are issued.
 - The program could fail to meet *economic* goals if participants comply by reducing activity instead of emissions.
 - Proposed Remedies:
 - Use an open market design, by which participants generate credits only by reducing the emissions rate of the regulated activity, or
 - If a closed market is preferred, then provide a mechanism (e.g., auction) for issuing more allowances if activity levels exceed expectations.

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"Open" vs "Closed" Market Design

- Emissions = AL x EF
 - AL – activity level (e.g., kilowatt hours, brake horsepower hours, fuel consumed)
 - EF – emission factor, or rate
- Closed markets allow credit when the product of AL and EF is negative (i.e., reductions below the cap).
 - Participants comply either by reducing AL or EF, or both.
- Open markets allow credit only when there is a reduction in EF.
 - Participants comply either by meeting the declining EF or by purchasing credits.
 - Credits can only be generated by reducing EF below the standard or by achieving reductions early.
- Periodic Program Adjustments in Open Market Systems
 - Because open market credit programs do not cap overall emissions, emission performance standards (i.e., the EF) are set based on projected activity levels (similar to traditional SIP planning). Depending upon actual economic activity, the program would be adjusted periodically to assure that overall emissions goals are met.

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Key Areas of Controversy:

2. Local Impacts of Trading

- Risk of not delivering local benefits:
 - Potential Problem:
 - Trading could result in a deferral or avoidance of emission reductions at locations where risk reductions are most needed.
 - Proposed Remedy:
 - Design the market program to ensure local benefits as follows:
 - Identify zones of higher risk due to sector emissions ("target zones");
 - Prohibit deferral of controls by sources that drive risk within target zones (i.e., one-way trading in target zones);
 - Pre-certify credits for emission reductions in target zones so as to attract and accelerate investment there;
 - Provide annual accounting to track emissions and risk reduction in target zones

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Key Areas of Controversy:

3. "Pay to Pollute" vs "Make Polluters Pay"

- Risk that participants will pay the "safe harbor" fee rather than reduce emissions.
 - Potential Problem:
 - Under the program, a source could just pay a fee in lieu of reducing emissions.
 - Potential Solution:
 - The fee ensures that sources that cannot reasonably reduce emissions or obtain credits can still operate. The fee is used to obtain offsetting emission reductions. Example: single visit vessels.
 - Setting the "safe harbor" fee at a price higher than the current credit price in the market ensures that the program will create a continuous incentive for efficiency and for reducing emissions, as sources will seek ways to avoid paying the fee.

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Implementation Timeline

- Near term (12 months)
 - Accelerated Investment in High-Impact Areas
 - Develop credit-generation protocols for select categories (e.g., cargo handling equipment, trucks, auxiliary engines)
 - Allow generation, sale and banking of credits
 - Develop 10-20 year performance standards and timetable for program
- Longer term
 - Develop joint powers authority or clarify entity/agency jurisdiction to ensure full integration
 - Implement full market

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MEMO

DATE: April 19, 2006

TO: Transportation and Communications Committee

FROM: Naresh Amatya, Lead Regional Planner, 213-236-1885, amatya@scag.ca.gov

SUBJECT: A report on triennial certification of SCAG's planning processes as a MPO

SUMMARY:

Pursuant to 23 U.S.C. 134(i)(5) and 49 U.S.C. 1607 the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) must jointly certify the metropolitan planning processes of Metropolitan Planning Organizations such as SCAG at least every three years. Accordingly, a triennial review of SCAG's planning processes was conducted jointly by FHWA and FTA over a three-day period starting on January 18, 2005. The findings of this review are presented in a report. The report identified two corrective actions and nine recommendations for improvements. The first corrective action calls for SCAG to enter into agreements with publicly owned transit operators that document the collaborative planning and programming processes currently existing in the region or take other actions sufficient to address this requirement. The second corrective action requires SCAG to publish costs of every individual project included in the Regional Transportation Plan in the future.

FTA/FHWA representative will present their findings and recommendations from this recent triennial certification of SCAG.

MEMO

DATE: April 19, 2006

TO: Transportation and Communications Committee

FROM: Rich Macias, Manager of Transportation Planning/Programming (213) 236-1805
macias@scag.ca.gov

SUBJECT: RTAC Task Force Report

SUMMARY:

Mark Pisano, Executive Director of SCAG, will brief the committee regarding the function and purpose of the Regional Transportation Agencies Coalition, as required by AB1246. This presentation was requested by the TCC for the purposes of discussion regarding the current need and relevancy of the coalition.

BACKGROUND: